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HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (S) NO. 3840 of 2007

Petitioner

Smt. Sadhana Deshmukh W/o
Anand Deshmukh, Aged about
42 years, R/o Near Old Post
Office, Naya Para, Jagdalpur
(Chhattisgarh)

Versus

Respondents

1. State of Chhattisgarh Through :
Secretary, Scheduled Caste,
Scheduled Tribe and Backward
Class Welfare Department,
D.K.S. Bhawan, Mantralaya,
Raipur (CG)
2. The Commissioner, Tribal
Development, Raipur (CG)
3. The Secretary, Mata Rukamani
Sewa Santhan Samiti,
Dimrapai, Tah. & District:
Jagdalpur (C.G.)

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF
INDIA**

Single Bench : Hon'ble Shri Justice Satish K. Agnihotri

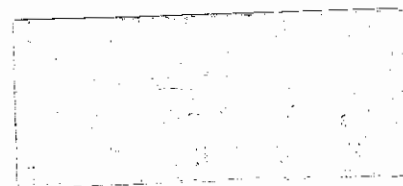
Mr. S.P. Kaie, Advocate for the Petitioner.

Mr. A.S. Kachhawaha, Govt. Advocate for the respondents No. 1 and
2/State.

ORDER

(Passed on this 4th day of July, 2007)

1. Learned counsel appearing for the petitioner submits that the
petitioner is a teacher working in the respondent No. 3 Institute.
The petitioner is entitled to grant of the Fifth Pay Commission in
the light of the judgment and order dated 6.2.2007 passed by this
Court in the case of **Smt. A.Lall Vs. State of Chhattisgarh &
Others (W.P. No. 4108 of 2005)** with other connected matters.
2. Learned counsel further submits that this case is squarely covered
on facts as well as on question of law by the decision of this Court



(25)

in the matter of **Smt. A.Lall Vs. State of Chhattisgarh & Others**
and other connected matters (supra).

3. Learned counsel appearing for the respondents No. 1 and 2/State submits that the petitioner has not filed any document indicating asto whether the petitioner is appointed within the sanctioned post and the school is Government aided.
4. In view of that, the writ petition is allowed in the same terms passed by this Court in the matter of **Smt. A.Lall Vs. State of Chhattisgarh & Others** and other connected matters (supra), subject to verification asto whether the respondent No. 3 Institute is a Government aided school and the petitioner is a teacher within the sanctioned strength.

Sd/-
Satish K. Agnihotri
Judge

B/-